

LEGAL UPDATE

EMPLOYMENT LAW

I. SYNOPSIS

In this legal update, we provide a snapshot of recent developments in Singapore's employment law and regulation:

- **[Four (4) Weeks Mandatory Paternity Leave]:** With effect from 1 April 2025, an eligible father is entitled to four (4) weeks of government-paid paternity leave (to be taken in the period between the child's date of birth and twelve (12) months from the child's date of birth). Reimbursements by the government are capped at S\$2,500 for every seven (7) days.
- **[Additional Shared Parental Leave]:** With effect from 1 April 2025, eligible mothers and fathers are entitled to six (6) weeks of parental leave to be shared with their spouse (the "**Shared Parental Leave**"). With effect from 1 April 2026, the entitlement to Shared Parental Leave will be increased to ten (10) weeks.
- **[Introduction of Workplace Fairness Act 2025]:** The Workplace Fairness Act 2025 (the "**WFA**") was introduced to combat against workplace discrimination and establish fair employment practices by imposing penalties against employers for making employment decisions (e.g. hiring, evaluating an employee's performance, dismissing) ("**Employment Decisions**") against employees on the ground of a protected characteristic (i.e. age, nationality, sex, marital status, pregnancy, caregiving responsibilities, race, religion, language ability, disability, and mental health condition (collectively, "**Protected Characteristic**").
- **[Guidelines on Flexible Work Arrangement Requests]:** The Tripartite Alliance for Fair and Progressive Employment Practices has issued a "*Tripartite Guidelines on Flexible Work Arrangement Requests*" (the "**FWA Guideline**") to set out (a) how employees may request for flexible work arrangements and (b) how employers may respond to such a request. The FWA Guideline merely sets out the minimum requirements and employers may adopt more progressive internal policies.

II. REVISED MANDATORY PATERNITY LEAVE

1. Prior to 1 April 2025, an eligible father is entitled to only two (2) mandatory weeks of government-paid paternity leave (“GPPL”). This entitlement has been increased to four (4) weeks with effect from 1 April 2025.
2. A simplified comparison table of the entitlement before and from 1 April 2025 is set out below:

	Before 1 April 2025	From 1 April 2025
Default arrangement (i.e. no separate arrangement between employee and employer)	<ul style="list-style-type: none"> Two (2) continuous weeks of GPPL within sixteen (16) weeks after the child’s date of birth. If employer agrees to an additional two (2) weeks of paternity leave, four (4) continuous weeks of GPPL within sixteen (16) weeks after the child’s date of birth. 	Four (4) continuous weeks of GPPL within sixteen (16) weeks after the child’s date of birth.
Flexible arrangement	<ul style="list-style-type: none"> Two (2) continuous weeks of GPPL to be taken any time within twelve (12) months from the child’s date of birth (note: the two (2) weeks may be spilt up and consumed in various combination). If employer agrees to an additional two (2) weeks of paternity leave, four (4) continuous weeks of GPPL any time within twelve (12) months after the child’s date of birth (note: the four (4) weeks may be spilt up and consumed in various combination). 	Four (4) continuous weeks of GPPL at any time within twelve (12) months after child’s date of birth (note: the four (4) weeks may be split up and consumed in various combination).

3. The entitlement to GPPL is capped at S\$2,500 for every seven (7) days.

III. ADDITIONAL SHARED PARENTAL LEAVE

4. Prior to 1 April 2025, eligible fathers may share up to four (4) weeks of government-paid maternity leave.
5. With effect from 1 April 2025, an additional six (6) weeks of government-paid shared parental leave (“SPL”) will be made available to be shared between the parents. This entitlement will be increased to ten (10) weeks with effect from 1 April 2026.
6. A simplified comparison table of the entitlement before 1 April 2025, from 1 April 2025, and from 1 April 2026 is set out below:

	Before 1 April 2025	From 1 April 2025	From 1 April 2026
Shared Parental Leave for Parents	Mothers may share up to four (4) weeks of maternity leave with fathers	Parents would be entitled to six (6) weeks of SPL, to be shared between them.	Parents would be entitled to ten (10) weeks of SPL, to be shared between them.

7. SPL should be consumed within twelve (12) months from the child’s date of birth. SPL is capped at S\$2,500 per week.
8. Given the substantial changes to this scheme, employers should consider revising their internal employee handbook / policies to reflect the changes and disseminate the revised document(s) to employees.

IV. WORKPLACE FAIRNESS ACT 2025

9. In a bid to combat workplace discrimination and unfair employment practices, the WFA deems – among other things – the following actions by employers to be “*civil contraventions*”:
 - a. Acts of discrimination (i.e. makes an Employment Decision against an employee on the ground of a Protected Characteristic);
 - b. Issuance, communication, or publication of a discriminatory direction, instruction, or policy;
 - c. Failure to develop a process of handling grievances and committing the process in writing;
 - d. Retaliation against an employee for (i) bringing proceedings against the employer or other employees under the WFA, (ii) giving evidence in connection with the aforesaid proceedings, (iii) alleging that the employer or other employees committed an act which amount to a civil contravention or serious contravention under the WFA, (iv) raising a grievance to the employer (collectively, “**Retaliatory Acts**”).
10. An employer commits a “*serious civil contravention*” if it, among other things, (a) commits a second or subsequent civil contravention, (b) retaliates against an employee by dismissing the employee, or (c) commits a second or subsequent Retaliatory Act(s) against an employee less than one (1) year after any previous civil contravention against that employee.

11. If a civil contravention has been committed, employers may be issued with a contravention notice and be required to pay an administrative penalty of up to S\$5,000 for each civil contravention.
12. If a serious civil contravene has been committed, the Commissioner for Workplace Fairness may bring a court action against the employer and the court may order that the employer pays a civil penalty as follows:
 - [If employer is a body corporate, partnership, or unincorporated association]: Up to S\$50,000 for the first order, and up to S\$250,000 for subsequent orders.
 - [If employer is an individual]: Up to S\$10,000 for the first order, and up to S\$50,000 for subsequent orders.
13. Given the introduction of the WFA, employers are therefore recommended to comply with the WFA by developing a written process of handling grievances to minimise the risk of being found liable for a civil contravention.

V. GUIDELINES ON FLEXIBLE WORK ARRANGEMENT REQUESTS

14. Broadly, flexible working arrangements (“FWA”) may be classified as (a) flexi-place (employees may work from different locations), (b) flexi-time (employees may work at different timings but adhering to the contractually-agreed total number of work hours), or (c) flexi-load (employees work with different workloads with adjusted salary – e.g. part-time work).
15. The FWA Guideline does not set out mandatory obligations on the part of employers and are just suggestions for employers’ consideration when drafting or revising their internal employee handbook or policies. Some key guidelines are as follows:
 - a. **[Who can request for FWA]:** All employees who have completed probation.
 - b. **[How can a FWA request be made by employees]:** FWA requests may be submitted via the employers’ work portal or via email to the employees’ supervisor / human resource manager. To streamline the process and ensure proper documentary process, employers should consider drafting a standardised FWA request form for employees’ usage.
 - c. **[Disseminate a FWA handbook to employees]:** As employees may have a myriad of different FWA requests (e.g. different / odd work hour requests, unusual adjusted workload requests, etc), employers should consider standardising their internal FWA policies to enhance efficiency. Such FWA policies may be documented in writing in a FWA handbook and thereafter circulated to employees.
 - d. **[How to communicate outcomes of the FWA requests to employees]:** It may not be unusual for disputes between employers and employees to arise on the precise terms of the agreed FWA arrangements with the employees. Employers should therefore consider documenting all outcomes of the FWA requests in writing and communicating the outcomes to the employees.

VI. CONCLUSION

16. Employment-related disputes are often costly for employers and often avoidable by ensuring that employers have put in place appropriate written agreements / directions / handbooks / policies. Such written documents should also be clearly communicated to the employees to apprise them of their entitlements. By ensuring clear communication with employees, employers can foster a more efficient workforce.
17. If you have any query about the above update, please feel free to contact us at any of the following:

COLEMAN STREET CHAMBERS LLC

Email : enquiries@colemanstreetchambers.com

Contact no. : +65 6259 2193